

Amended 4/12/10

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
RENT LEVELING BOARD
MINUTES – FEBRUARY 8, 2010**

Meeting called to order at 7:04 pm by Michael Falcone, Chairman

Flag Salute

SUNSHINE LAW: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this Rent Leveling Board meeting of the Borough of Dumont having been sent to ***The Record***, the ***Press Journal*** and posted on the Borough website and in the Borough Hall on February 1, 2010.

ROLL CALL: Michael Falcone, Judy Parker, Albert Taxter, Irwin Buchheister, Lillian DeCristofaro, Coleman Szely-present
Lillian Elliott-absent.

Also in attendance at the meeting was Harry Stylianou, Council Liaison to the Rent Leveling Board, Monica Cho, Board Attorney and Kathy Schaefer, Board Secretary.

The oath of office was administered by Councilman Stylianou to Michael Falcone, Homeowner Representative, Judy Parker, Landlord Representative, Albert Taxter, Tenant Representative, Coleman Szely, Tenant Representative and Irwin Buchheister, Alternate Homeowner Representative, all of whom were reappointed to their respective positions, with their terms to expire December 31, 2012. The oath of office was also administered to Lillian DeCristofaro, Landlord Representative.

Motion to approve the meeting minutes of December 16, 2009: Mr. Taxter, second Ms. Parker

Mr. Szely and Ms. DeCristofaro-abstain

All in favor: Aye

Motion passed.

Invoice from Bhalla & Cho dated January 5, 2010

Mr. Falcone advised that he was looking over the invoice and noticed that the first seven items were all for all for the same thing and that was to change the number of absences for board members totaling \$180.00. He felt that was a ridiculous amount to change an ordinance. All of these communications were between the attorney and the Board Secretary. The Board Secretary was asked to reduce the amount of emails with the Board Attorney. Ms. Cho advised that New Jersey had passed the Citizens Service Act regarding the number of unexcused absences a member may have and that all New Jersey municipalities were required to follow that. She advised that if you totaled it up, that was one and a half hours spent on research of the Citizens Service Act. She advised that the

emails were in connection with the new Act and she was incorporating the new language into the ordinance. Mr. Falcone felt it would be more appropriate to just indicate that one and a half hours were spent on the research and rewriting of the ordinance rather than to mention all the emails that were going back and forth on one issue. Mr. Szely agreed with Mr. Falcone in that Ms. Cho's hourly rate was reasonable and that if the bill had just said she spent so many hours on a project, it would assume that there were emails, phone calls, etc. He agreed with Mr. Falcone in that just the total time spent on a project is sufficient.

Motion to approve attorney bill dated January 5, 2010: Lillian DeCristofaro, second Judy Parker

All in favor: Aye

Motion passed.

Mr. Falcone stated that we had received RFQ responses from Monica Cho and Eric M. Bernstein & Associates. Being that we are familiar with Ms. Cho, he would recommend that Ms. Cho be reappointed.

Motion to approve Resolution 10-01 Authorizing Agreement for Professional Services for Rent Leveling Board Attorney be awarded to Ms. Monica Cho, Esq., Bhalla & Cho LLC:

Albert Taxter, second Coleman Szely

All in favor: Aye

Motion passed.

The secretary advised that at the last meeting, after the final ordinance was adopted, Ms. Cho was asked to write a covering memorandum to go with the proposed ordinance to the Ordinance Committee and Monica's cover letter was distributed to the members of the Board. The secretary had thought that the memorandum should indicate the changes that this Board had made, rather than just a broad outline of the revised ordinance. Ms. Cho advised that she had come to the Rent Leveling Board after the previous counsel had consolidated all the previous ordinances into one document, bolding the changes that he had made. The secretary advised that the Board had made changes to this document, inclusive of reducing the CPI from a monthly basis to an average of a six month basis and changes due to the Citizen Service Act, as well as should there be a special section devoted to Senior Citizens. Mr. Falcone advised Councilman Stylianou that we have been working two years on this. We received numerous amendments to the original ordinances and then more amended ordinances would be found. Did we want to submit these changes to the Ordinance Committee now and then wait to hear back from the Ordinance Committee for any comments/revisions they had. All agreed to submit the final document to the Ordinance Committee.

Motion to adjourn: Mr. Taxter, second Judy Parker

All in favor: Aye

Motion passed.

The meeting was adjourned at 7:30 pm.

The next regularly scheduled meeting will be held on April 12, 2010.
Minutes respectfully submitted by

Kathy Schaefer
Rent Leveling Board Secretary